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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/910,365	07/20/2001	Parag Agashe	PA990576	2250

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EXAMINER

LOUIS JACQUES, JACQUES H

ART UNIT PAPER NUMBER

3661

DATE MAILED: 02/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/910,365

Applicant(s)

AGASHE ET AL.

Examiner

Jacques H Louis-Jacques

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-77 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 20-25 and 43-77 is/are allowed.
- 6) ☒ Claim(s) 1-11, 18 and 26-36 is/are rejected.
- 7) ☒ Claim(s) 12-17, 19 and 37-42 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-11, 18, and 26-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vayanos et al [6,134,483] in view of Abraham et al [5,731,786].

Vayanos et al discloses a method and apparatus for efficient GPS assistance in a communication system. According to Vayanos et al a position correction factor is determined and transmitted for each of a plurality of physical objects. According further to Vayanos et al, each of the physical object has an identifier (ID) to identify the particular physical object, wherein the correction factor is transmitted based on the identifier. See figures 3A-3C and, in particular, columns 3-5. Implementing a program (method steps) using a computer or machine-readable codes is well known. In fact, Vayanos et al discloses a processor that can perform this task. Additionally, Vayanos et al discloses that the correction factors are transmitted without transmitting information related to identities of the plurality of objects (column 5). That is, according to Vayanos et al, only the corrections are transmitted. See also columns 6 and 8. While Vayanos et al discloses the identifiers, the correction factors, Vayanos et al does not particularly teaches transmitting the correction factor in any particular or given order. Abraham et al, on the other hand, discloses a compaction of SATPS information for subsequent signal

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processing, wherein there is provided a plurality of physical objects (such as, space vehicles). Each of the physical objects has a correction factor associated therewith and the correction factor is transmitted based on a particular order, which can be predetermined future time, increasing time value, etc. See, in particular, columns 4-6. Thus, it would have been obvious to one skilled in the art at the time of the invention to be motivated to modify the system of Vayanos et al by incorporating the features from the compaction system of Abraham et al because such modification, as suggested by Abraham et al in column 22, would improve the accuracy of the system.

Allowable Subject Matter

3. Claims 20-21, 22-23, 24-25, 43-58, 59-74, and 75-77 are allowed.
4. Claims 12-17, 19 and 37-42 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Amendment

5. Applicant's arguments filed November 21, 2003 have been fully considered but they are not persuasive.

Claims 1-77 are pending and presented for examination, among which claims 20-25 and 43-77 are allowed, claims 12-17 and 37-42 are objected to and claims 1-11, 18 and 26-36 are rejected.

Claim 18 is amended to better recite the apparatus, wherein machine readable codes (e.g., computer program) are used to carry out steps similar to the method claim, namely claim

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1. With respect to claim 18, it is well known to implement a program (method steps) using a computer or machine-readable codes. In fact, Vayanos et al discloses a processor that can perform this task. Additionally, Vayanos et al discloses that the correction factors are transmitted without transmitting information related to identities of the plurality of objects (column 5). That is, according to Vayanos et al, only the corrections are transmitted. See also columns 6 and 8.

Contrary to Applicant's arguments, Abraham et al discloses arranging or transmitting the correction factors in a predetermined order. As noted in the rejection, the predetermined order, according to Abraham et al, can be based on time. See also columns 13, 15-18.

In light of the amendments and the above comments, the claims remain rejected and this office action is made final.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

5,884,220	Farmer et al	Mar. 1999
5,913,170	Worthman	Jun. 1999
6,061,632	Dreir	May 2000
6,415,229	Diekhans	Jul. 2002

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacques H Louis-Jacques whose telephone number is 703-305-9757. The examiner can normally be reached on M-Th 7:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski can be reached on 703-308-3873. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1111.

Jacques H Louis-Jacques
Primary Examiner
Art Unit 3661

/jlj
January 29, 2004

Jacques H. Louis-Jacques
JACQUES H. LOUIS-JACQUES
PRIMARY EXAMINER